

LAW OFFICES  
FARRAR & BATES, L.L.P.

J. Russell Farrar  
William N. Bates  
Kristin Ellis Berexa  
Teresa Reall Ricks  
Molly R. Cripps  
Mary Byrd Ferrara\*  
Robyn Beale Williams  
Jennifer Orr Locklin  
P. Andrew Wright, Jr.

211 Seventh Avenue North  
Suite 420  
Nashville, Tennessee 37219

Telephone 615-254-3060  
Facsimile 615-254-9835  
E-Mail: fblaw@farrar-bates.com

Of Counsel

H. LaDon Baltimore  
Joseph S. Reeves III  
Gregory E. Seneff, Sr.

REC'D T  
REGULATORY

\*02 MAY 30 AM 11 32

OFFICE OF THE  
EXECUTIVE SECRETARY

\*Also licensed in KY

May 30, 2002

David Waddell  
Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243-0505

RE: Complaint of KMC Telecom, III, Inc. and KMC Telecom V, Inc. Against United  
Telephone Southeast, Inc.; Docket No. 01-00964

Dear Mr. Waddell:

Enclosed are the original and 13 copies of KMC's Motion for Approval of Withdrawal of Complaint and Dismissal With Prejudice of the above-referenced complaint. I am also enclosing a proposed order approving the motion, along with a diskette containing the proposed order in Microsoft Word format.

Thank you for your assistance. Please do not hesitate to contact me if you have any questions.

Sincerely,



H. LaDon Baltimore

LDB/dcg  
Enclosures

cc: Jon Wike, Esq., TRA  
James Wright, Esq.  
Gordon Polozola, Esq.  
John McLaughlin

BEFORE THE TENNESSEE REGULATORY AUTHORITY  
AT NASHVILLE, TENNESSEE

IN RE:

COMPLAINT OF KMC TELECOM III,  
INC. AND KMC TELECOM V, INC.

Against

UNITED TELEPHONE  
SOUTHEAST, INC.

\*02 MAY 30 AM 11 33

OFFICE OF THE  
EXECUTIVE SECRETARY

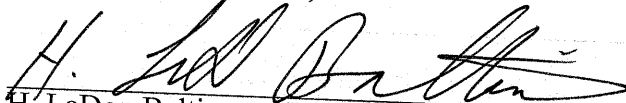
Docket No. 01-00964

**MOTION OF KMC TELECOM III, INC. AND KMC TELECOM V, INC.  
FOR APPROVAL OF WITHDRAWAL OF COMPLAINT AND  
DISMISSAL WITH PREJUDICE**

Come now KMC Telecom III, Inc. and KMC Telecom V, Inc., through their undersigned counsel, and request approval of their motion to withdraw and dismiss, with prejudice, the complaint against United Telephone Southeast, Inc.

WHEREFORE, KMC Telecom III, Inc. and KMC Telecom V, Inc. respectfully request an order granting such motion.

Respectfully submitted,



H. LaDon Baltimore, BPR #003836  
FARRAR & BATES, L.L.P.  
211 Seventh Avenue North, Suite 420  
Nashville, TN 37219  
(615) 254-3060  
(615) 254-9835 FAX

Gordon D. Polozola (La. Bar # 23900)  
KEAN, MILLER, HAWTHORNE,  
D'ARMOND, McCOWAN & JARMAN, L.L.P.  
One American Place, Suite 1700  
P. O. Box 3513 (70821)  
Baton Rouge, LA 70825

*Counsel to KMC Telecom III, Inc. and  
KMC Telecom V, Inc*

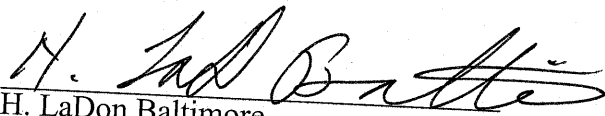
John D. McLaughlin, Jr.  
Marva Brown Johnson, Esq.  
Scott A. Kassman, Esq.  
David Sered  
KMC TELECOM HOLDINGS, INC.  
1755 North Brown Road  
Lawrenceville, GA 30043  
(678) 985-7900  
(678) 985-6213 FAX

**Certificate of Service**

The undersigned hereby certifies that a true and correct copy of the foregoing has been forwarded via U. S. Mail, first class postage prepaid, to the following, this 30th day of May, 2002.

Jon Wike, Esq.  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243-0500

James Wright, Esq.  
United Telephone Southeast, Inc.  
14111 Capitol Blvd.  
Wake Forest, NC 27587-5900

  
H. LaDon Baltimore